

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI
SOUTHERN DIVISION**

ABEL J. DEDEAUX

PLAINTIFF

v.

CIVIL ACTION NO. 1:24-cv-14-TBM-RPM

HANCOCK COUNTY *et al.*

DEFENDANTS

ORDER ADOPTING REPORT AND RECOMMENDATION

This matter is before the Court on the submission of the Report and Recommendation [38] entered by United States Magistrate Judge Robert P. Myers on January 24, 2025. Judge Myers recommends dismissing Plaintiff Abel J. Dedeaux's claims against Defendant Jindal Tubular USA, LLC with prejudice for failure to state a claim. Dedeaux has not filed an objection to the Report and Recommendation, and the time for filing an objection has expired.¹

“When no timely objection is filed, the court need only satisfy itself that there is no clear error on the face of the record in order to accept the recommendation.” FED. R. CIV. P. 72(b) advisory committee’s note to 1983 addition (citations omitted); *see Casas v. Aduddell*, 404 F. App’x 879, 881 (5th Cir. 2010) (“When a party fails timely to file written objections to the magistrate judge’s proposed findings, conclusions, and recommendation, that party is barred from attacking

¹ A copy of the Report and Recommendation [38] was mailed to Dedeaux at his address listed on the docket on January 24, 2025. But that mail was returned as Undeliverable on February 10, 2025, and marked as “Return to Sender, Not Deliverable as Addressed, Unable to Forward.” [39]. The Court’s Local Rules provide that “every litigant proceeding without legal counsel has a continuing obligation to notify the clerk of court of address changes.” L. U. Civ. R. 11(a). And Dedeaux was warned multiple times that his failure to update his address could result in the dismissal of his case. [31], pg. 2; [32], pg. 2. Despite these warnings, Dedeaux, whose last filing in this case was his Response in Opposition [36] on October 4, 2024, has failed to notify the Court of a change of address. *See Wright v. Seliger*, No. MO:19-cv-00218-DC, 2021 WL 11698526, at *1 (W.D. Tex. Jan. 11, 2021) (adopting unobjection-to report and recommendation after it was returned undeliverable where plaintiff failed to inform the Court of any change of address); *Holmes v. Headway Workforce Sols., Inc.*, No. 5:22-cv-1307-DAE, 2023 WL 8494388, at *1 (W.D. Tex. Dec. 7, 2023) (same).

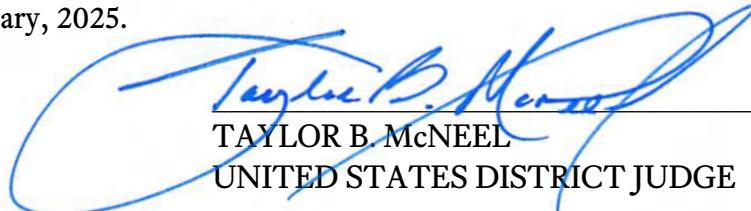
on appeal the unobjected-to proposed findings and conclusions which the district court accepted, except for plain error") (citing *Douglass v. United Serv. Auto Ass'n*, 79 F.3d 1415, 1428-29 (5th Cir. 1996) (en banc); 28 U.S.C. § 636(b)(1)). Having considered Judge Myers' Report and Recommendation, the Court finds that it is neither clearly erroneous nor contrary to law.

IT IS THEREFORE ORDERED AND ADJUDGED that the Report and Recommendation [38] entered by United States Magistrate Judge Robert P. Myers on January 24, 2025, is ADOPTED as the opinion of the Court.

IT IS FURTHER ORDERED AND ADJUDGED that Defendant Jindal Tubular USA, LLC's [26] Motion to Dismiss is GRANTED.

IT IS FURTHER ORDERED AND ADJUDGED that the claims asserted in Abel J. Dedeaux's Amended Complaint [23] against Defendant Jindal Tubular USA, LLC are DISMISSED with prejudice for failure to state a claim.

THIS, the 14th day of February, 2025.


TAYLOR B. MCNEAL
UNITED STATES DISTRICT JUDGE